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11 United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CASE NO. 1:20-CR-00062-JLT-SKO

Plaintiff,

**STIPULATION TO CONTINUE MOTION  
HEARING; ORDER**

V.

JULIO CHAVEZ-LUCATERO.

DATE: February 13, 2023

TIME: 10:00 a.m.

COURT: Hon. Jennifer L. Thurston

Defendant.

## STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a hearing on the motion to suppress on February 13, 2023.

2. By this stipulation, defendant and government now move to continue the hearing on the motion to suppress conference until March 13, 2023. Time has been excluded to and through January 30, 2024.

3. The parties agree and stipulate, and request that the Court find the following:

a) The parties are actively working on settling the matter short of litigating the motion to suppress filed in this matter. A plea agreement has been sent and a counter-offer

1 made.

2 b) Counsel for the government and defendant Chavez-Lucatero desire additional  
3 time to continue to engage in plea negotiations and finalize a plea agreement.

4 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
5 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
6 must commence.

7 IT IS SO STIPULATED.

8 Dated: February 9, 2023

PHILLIP A. TALBERT  
United States Attorney

10 /s/ LAUREL J. MONTOYA

11 LAUREL J. MONTOYA  
Assistant United States Attorney

13 Dated: February 9, 2023

14 /s/ MARC DAYS

15 MARC DAYS  
Counsel for Defendant  
JULIO CHAVEZ-LUCATERO

18 **FINDINGS AND ORDER**

20 IT IS SO FOUND.

21 IT IS SO ORDERED.

22 Dated: February 9, 2023

  
23 UNITED STATES DISTRICT JUDGE